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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,102	12/29/2000	Christian E. Elling	45579-0001	8238
21874	7590	06/14/2005	EXAMINER	
EDWARDS & ANGELL, LLP P.O. BOX 55874 BOSTON, MA 02205			SHIBUYA, MARK LANCE	
			ART UNIT	PAPER NUMBER
			1639	
DATE MAILED: 06/14/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO/ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/752,102      12/29/2000      Elling      57481 (45579)

EXAMINER
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Shibuya

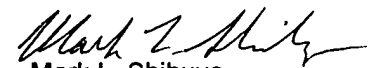
ART UNIT	PAPER
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1639      06092005

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Commissioner for Patents

  
Mark L. Shibuya  
Examiner  
Art Unit: 1639

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### DETAILED ACTION

The reply filed on 12/27/2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

Applicant has not properly elected an invention of a genus of test compound that results in a single defined core structure, showing all rings therein, that are further functionalized, as set forth in the Requirement for restriction / election, mailed 8/26/2004, at pp. 4-5, bridging paragraph. Applicant elects as a "species", "a compound of Formula IIIA and the third compound of the right column of Table 1 on p. 35 of the instant application", (Reply, entered 12/27/2004, at p. 32, para 8). However, applicant has not defined the values of Formula IIIA so as to elect a single defined core structure as a distinct invention, (see Requirement for restriction/election, mailed 8/26/2004, at p. 4, paragraph 6). Also, applicant has not provided the chemical structure of the elected compound Group, wherein the specific formula core structure is defined, preferably by picture, or by expressing the Group in terms of the variables of the structural formula, (see Requirement for restriction/election, mailed 8/26/2004, at p. 12, paragraph 10).

If applicant is unable to provide the chemical structure of the elected compound Group, wherein the formula of the generic core structure is defined, including ring structure, the molecule corresponding to the third compound of the right column of Table 1 on p. 35 of the instant specification will be taken as the an election of a distinct invention, as according to the restriction requirement; as well as an election of an ultimate species defined as to bond and atom, (see Requirement for restriction/election, mailed 8/26/2004, at p. 22, paragraph 29).

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Furthermore, applicant's various election of species, especially the election of the compound of Formula IIIA and the third compound of the right column of Table 1 on p. 35 of the instant specification, are not accompanied by a listing of all claims readable thereon.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**